

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Christopher Daerell Doville,)
)
Plaintiff,)
)
vs.)
)
Eric Greenway; Col. Quandara Grant;)
Major Latasha Robinson; County)
Counsel of Beaufort Detention Center;)
Cpl. J. White; LCpL Jesse Scott; LCpL)
Q. Johnson; PFC. C. Alexander; PFC.)
A. George,)
)
Defendants.)
)

Case No.: 0:23-cv-5003-JD-PJG

ORDER AND OPINION

This matter is before the Court with the Report and Recommendation (“Report”) of United States Magistrate Judge Paige J. Gossett (DE 87), made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) of the District of South Carolina concerning a Motion for Summary Judgment.¹ (DE 66.)

A. Background

The Report sets forth the relevant facts and legal standards, which the Court incorporates without a complete recitation. In any event, the Court provides this summary as a brief background.

¹ The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

Plaintiff Christopher Daerell Doville (“Plaintiff” or “Doville”), proceeding *pro se*, sued Defendants Eric Greenway, Col. Quandara Grant, Major Latasha Robinson, County Counsel of Beaufort Detention Center, Cpl. J. White; LCpL Jesse Scott; LCpL Q. Johnson; PFC C. Alexander; and PFC. A. George (collectively, “Defendants”), under 42 U.S.C. Section 1983. (DE 1.) Plaintiff asserts various constitutional violations and tort injuries while incarcerated at the Beaufort County Detention Center. (DE 1.)

On September 13, 2024, Defendants moved for Summary Judgment because Plaintiff failed to exhaust his administrative remedies under the Prison Litigation Reform Act on all but one claim. (DE 66.) On September 16, 2024, under *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), the Magistrate Judge advised Plaintiff of the motion for summary judgment procedure and the possible consequences if he failed to respond to the motion adequately. (DE 73.) Plaintiff did not respond to the motion.

As Plaintiff is proceeding *pro se*, the Magistrate Judge issued a second order on October 30, 2024, advising Plaintiff that it appeared to the Court that he was not opposing the motion and wished to abandon this action. The Magistrate Judge gave Plaintiff 14 days to respond to the motion for summary judgment. (DE 84.) The Magistrate Judge warned Plaintiff that if he failed to respond, this action would be recommended for dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b). Plaintiff did not respond.

B. Report and Recommendation

On November 22, 2024, the Magistrate Judge issued the Report recommending that this action be dismissed with prejudice for lack of prosecution. (DE 87.) Plaintiff has not objected to the Report.

C. Legal Standard

In the absence of objections to the Report and Recommendation, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). The Court must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

D. Conclusion

Because Plaintiff has not objected, after a thorough review of the Report and Recommendation and the record in this case, the Court finds no clear error on the face of the record. Thus, the Court adopts the Report (DE 87) and incorporates it here by reference.

It is, therefore, **ORDERED** that Plaintiff's Complaint is dismissed with prejudice for lack of prosecution.

IT IS SO ORDERED.


Joseph Dawson, III
United States District Judge

Florence, South Carolina
March 28, 2025

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order within thirty (30) days from this date under Rules 3 and 4 of the Federal Rules of Appellate Procedure.